

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

In Re:

Victor D Maldonado,

Debtor.

Case No. 18-05553
Chapter 13
Plan filed on May 14, 2018
Confirmation Hearing: July 9, 2018
Honorable Jacqueline P. Cox

AMENDED OBJECTION TO CONFIRMATION OF PLAN

NOW COMES JPMorgan Chase Bank, National Association (hereinafter referred to as "Creditor"), a secured creditor herein by its attorneys, Heavner, Beyers & Mihlar, LLC, and moves this Honorable Court for an Order denying confirmation of Debtor's modified plan filed May 14, 2018, and in support thereof states as follows:

1. This Court has jurisdiction pursuant to 28 U.S.C. Section 1334 and Local Rule 40.3.1 of the United States District Court for the Northern District of Illinois.
2. Debtor filed a petition under Chapter 13 of Title 11, United States Bankruptcy Code on February 28, 2018. The Debtor's Chapter 13 Plan has not yet been confirmed.
3. That enforcement of this security interest has been stayed automatically by operation of 11 U.S.C. Section 362 of the Bankruptcy Code.
4. Said Creditor is a mortgage holder or servicer on the property commonly known as 5705 W School St, Chicago, IL 606340000.
5. The Chapter 13 modified plan herein proposes that Debtor cure the pre-petition arrearage claim through the Chapter 13 Trustee while maintaining current, post-petition mortgage payments.
6. The Debtor's modified plan proposes a variable monthly payment of \$100.00 for 23 months, \$282.00 for an additional 17 months and \$641.00 for an additional 6 months to the Standing Trustee for the benefit of creditors.
7. That Creditor filed a Proof of Claim in the instant case totaling \$160,471.72 and listing a pre-petition arrearage of \$1,679.40.

8. That the Debtor has used the District's model plan for his/her Chapter 13 modified plan and said model contains language negatively impacting the Creditor. Specifically, Part 3.1 of the plan does not provide for monthly payments to be paid to Creditor for its pre-petition arrearage.

9. Sufficient grounds exist for denial of confirmation of Debtor's modified plan:

a. Fails to cure Creditor's pre-petition arrearage claim amount in full.

WHEREFORE, this Creditor, JPMorgan Chase Bank, National Association, and/or its assigns, requests the Court enter an Order denying confirmation of the Debtor's Chapter 13 modified plan.

Dated this 06/14/2018.

JPMorgan Chase Bank, National Association,

By: /s/ Amanda J. Wiese

Amanda J. Wiese
One of its attorneys

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